GOVERNMENT OF INDIA
ROAD TRANSPORT AND HIGHWAYS
LOK SABHA

UNSTARRED QUESTION NO:3693
ANSWERED ON:08.12.2016
Commercial and Old Vehicles
Patole Shri Nanabhau Falgunrao

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the Government proposes to provide facility of measuring degree of pollution and the weight of commercial vehicles near the toll tax on National Highway, if so, the details thereof;

(b) the provision for action against commercial vehicles found having more weight than prescribed criterion and also causing pollution thereto;

(c) the details of the ban on old vehicles for spreading more pollution; and

(d) the action taken by the Government in this regard?

Answer

THE MINISTER OF STATE IN THE
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

(SHRI MANSUKH L. MANDAVIYA)

(a) NHAI is in the process of installing Weigh in Motion (WIMs) / Automatic Vehicle Classifier (AVCs) of the toll plazas on National Highways across the country through Indian Highways Management Company Limited (IHMCL). No proposal for providing facility of measuring degree of pollution of commercial vehicles near toll tax on National Highways is under consideration.

(b) As per National Highway Fee Rules 2008 as amended:

"Without prejudice to the liability of the driver or owner or a person in charge of a mechanical vehicle under any law for the time being in force, a mechanical vehicle which is loaded in excess of permission load specified for its category under sub-rule (2) of rule 4, shall not be permitted to use the National Highways or crossing the toll plaza until the excess load has been removed from such mechanical vehicle.

The driver or owner or a person in charge of a mechanical vehicle shall be liable to pay fee for entering the overloaded vehicle on the national highway to the toll collecting agency, equal to ten times of the fee applicable to such category of mechanical vehicles under sub-rule (2) of rule 4."

Provisions regarding offence, penalties and procedure for driving vehicle which violates the standards prescribed in relation to control of noise and air-pollution are contained in sub-section (2) of section 190 of the Motor Vehicles Act, 1988.

(c) As per the Motor Vehicles Act, 1988 (MV Act) the registration of non-transport (private) vehicles shall be for a period of 15 years from the date of its initial registration and thereafter shall be renewable for a period of 5 years subject to the fitness of the vehicle. For a transport vehicle, a certificate of fitness granted under section 56 of MV Act shall be granted or renewed for two years in respect of new vehicles and shall be subsequently renewed for one year at a time. As per rule 88 of the Central Motor Vehicles Rule, 1989(CMVRs), no national permit shall be granted in respect of goods carriage, other than multi axle vehicle, which is more than 12 years old at any point of time. For multi axle goods carriage vehicle, the vehicle should not be more than 15 years old and in respect of multi axle trailer approved to carry Gross Vehicle Weight of more than 50 tons, the vehicle should not be more than 25 years old. As per rule 82(2) of CMVRs, a tourist permit shall be deemed to be invalid from the date on which the motor vehicle covered by the permit completes 9 years in the case of motor cabs and 8 years where the motor vehicle is other than a motor cab. For certain states, the Hon'ble National Green Tribunal (NGT) has imposed a ban on all diesel vehicles older than 10 years.

(d) The concept note on 'Vehicle Fleet Modernization Programme' to enable the replacement of Old Heavy and Medium Commercial Vehicles as they contribute the maximum of vehicular pollution was placed on Ministry's official website for information and comments from concerned Ministries and Departments and other stakeholders. It has been decided to refer the issue for consideration by Committee of Secretaries.

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